

Alfred Fitzgerald Hood
Name and Prisoner/Booking Number

100 Creek Ridge Ct.
Place of Confinement
Roseville CA. 95747
Mailing Address
City, State, Zip Code

FILED

APR 15 2024

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY Im S
DEPUTY CLERK

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Alfred Fitzgerald Hood
(Full Name of Plaintiff) Plaintiff,

v.

(1) Michael Anderson
(Full Name of Defendant)

(2) Casey Mara

(3) Joseph Patton

(4) _____

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 2:23-cv-1980 KJM JDP (PC)

(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

☐ Original Complaint

☐ First Amended Complaint

☒ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other: _____

2. Institution/city where violation occurred: The city of Roseville

B. DEFENDANTS

1. Name of first Defendant: Michael Anderson The first Defendant is employed as:
police / sergeant at Roseville police department
(Position and Title) (Institution)
2. Name of second Defendant: Casey Mard The second Defendant is employed as:
police / officer at Roseville police department
(Position and Title) (Institution)
3. Name of third Defendant: Joseph Patton The third Defendant is employed as:
police / officer at Roseville police department
(Position and Title) (Institution)
4. Name of fourth Defendant: _____ The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:

a. First prior lawsuit:

1. Parties: Alfred F. Hood v. Citrus Heights police dept.
2. Court and case number: n/a
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) Judge dismissed and stated I could not appeal or refile.

b. Second prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

c. Third prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: 4th amendment and 14th amendment violated.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>illegal search & seizure</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

On July 31, 2020 at 1100 Creek Ridge Ct. in Roseville California 95747 at approximately 1:30 a.m. Officer Mare was first officer to arrive on the scene. Police report states Mare approach my vehicle parked in the driveway. Observed I was sleeping with music playing went back to his patrol vehicle and called for back up. Allowed music to continue playing while waiting for approximately 20+ minutes for officers Anderson, Patton, Klein and Rossi to arrive on the scene. No officer made attempt to wake me up. I was awoken by Patton seating in passenger seat.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Bruise to the face fractured ribs and attempted murder for listen to music on private property.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☒ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Because has a result of police misconduct I was put in jail and sent to prison.

pg. 33 Supporting Facts

with a gun to my chest making terrace threats. Once I was awoken by unlawful entry from Patton. My driver side window was rolled all the way down Mara assaulted me with a punch to the face. Patton made racial comments and Mara after assault ripped my shirt off and aggressively pull me out of my van and slam me to the ground. The initial complaint call was loud music disturbance which none of the officers address. After unlawful entry and assaults I was surrounded by 5 officers and the fire department. Never asked me if I need medical attention. Was taken to South Placer County jail arrived at approx 3:23 am. My home is 10 minutes away from S.P.C.J. Charged with gun and ammunition and resisting arrest doubled up to make a felony. I was not on parole or probation they had no right to unlawfully enter my vehicle and no right to conduct and illegal search and seizure. Which the officers based my arrest. Sgt. Anderson orchestrated the officer misconduct.

CLAIM II

1. State the constitutional or other federal civil right that was violated: 14th amendment

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>False Allegations</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

City of Roseville charged me resisting arrest twice with the intention of giving me life in prison. On 12-5-2022 I was acquitted of both charges of resisting arrest by a jury trial in Placer County court. Proof that Roseville police department, Police misconduct was intentional and premeditated.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Went to trial facing 52 yrs to life because of false allegations that never took place. Mentally affected for life because of police actions & misconduct.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

I did not accept Obstruction of Justice racial profiling or false charges and went to trial.

E. REQUEST FOR RELIEF

State the relief you are seeking:

Cash pay out and my record to be ex-purge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4-7-2024
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.